

Remark

Applicants respectfully request reconsideration of this application as amended. Claims 1, 10, 19, 25, 30, 36, 43, 48 and 56 have been amended. No claims have been canceled. Therefore, claims 1-61 are now presented for examination.

Allowable Subject Matter

Applicants thank the Examiner for the indication of allowable subject matter. The claims referring to a power sequence and a load sequence remain in the application.

35 U.S.C. §102 Rejection,***Persson et al.***

The Examiner has reiterated the rejection of claims 1-3, 10-12, 30, 31, 36, 37, 43, 47-50 and 53-55 under 35 U.S.C. § 102(e) as being anticipated by Persson et al., U.S. Patent No. 6,647,000 ("Persson"). Persson may show that the MS can acquire frame synchronization and identify the transmitting base station using a synchronization burst. Persson may also show that uplink control channel (RACH) slots are assigned to particular slots in a time frame and that the uplink time frame has a particular timing relationship to the downlink time frame. However, Persson does not address how a base station might be able to identify whether a message is being addressed to it. In conventional GSM telephony, RACH bursts from the MS include an identification of the intended base station. Persson does not say whether this feature of GSM is used in this modified EDGE Compact system.

Claim 1 is amended to clarify that it is not directed so much to what the MS can determine using base station transmissions, but what a base station can determine using MS transmissions. Accordingly, the last element now recites "determining at the first base station whether the received message is directed to the first base station or not directed to the first base station based on the timing relationship." Applicants submit that this is a clear distinction from Persson and the other references.

The Examiner cites two specific portions of the reference. Column 11, lines 19-27 describe the frequency correction and synchronization bursts used by the MS to acquire timing and identify the transmitting base station. Column 16, lines 10-21 refers to Claim 28. Looking even at Claim 28, the MS receives an indication of the timeslot to use for transmitting uplink control channel information. The MS then transmits uplink control channel information in the indicated slot. Presumably, the base station receives the uplink control channel information and performs the appropriate functions. There is however, nothing in Claim 28 nor in the rest of Persson about the base station determining whether the uplink packet was addressed to the receiving base station or instead to another base station.

Claim 10 is also amended to clarify that the timing relationship indicates whether the MS transmitted message is directed to the first base station or to the second base station. Even considering Claim 26, while the MS receives downlink bursts from two different base stations there is nothing in Claim 26 or 27 to suggest that the MS use a timing relationship with the time frame to indicate whether a message is sent to one base station or another. Applicants submit that in GSM, there is no reason for a MS to indicate one BS or another. The choice of BS is made by the mobile switching center and

indicated to the MS in a traffic assignment. Any BS may receive the initial assignment request. Persson does not describe whether the same approach is used in this version of EDGE Compact.

Similar amendments are applied to the other claims so that all of the claims are believed to be allowable over Persson and over Persson in combination with any one or more of the other references.

Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

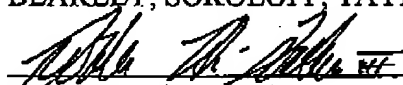
Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Respectfully submitted,

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